



CERTIFICATE OF MAILING  
37 C.F.R. 1.8

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Jan. 7, 2004 *Paula S. Linkhart*  
Date Paula S. Linkhart

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

PENNER, Greg A.  
BLEDIG, Stefan A.  
CONNER, Timothy W.  
CONCIBIDO, Vergel C.

Group Art Unit: 1661

Examiner: Wendy Haas

Atty. Dkt. No.: 11898.0021.NPUS01  
(MOBS:021)

Serial No.: 10 / 071,272

Filed: February 8, 2002

For: Identification of Seeds or Plants Using  
Phenotypic Markers

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Second Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. A copy of reference B1 is attached. Copies of the U.S. patent documents A1-3 are not provided.

In accordance with 37 C.F.R §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Second Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Second Supplemental Information Disclosure Statement. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/**11898.0021.NPUS01**.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



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Date: January 7, 2004

Form PTO-1449 (modified)

Atty. Docket No.  
11898.0021.NPUS01Serial No.  
10 / 071,272List of Patents and Publications for Applicant's  
SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENTApplicant  
PENNER, Greg A., et al.Filing Date:  
February 8, 2002

Group: 1661

(Use several sheets if necessary)

U.S. Patent Documents  
*See Page 1*Foreign Patent Documents  
*See Page 1*Other Art  
*See Page 1*

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	6,096,944	8/1/2000	Vierling et al.	800	265	12/13/1996
	A2	6,100,030	8/8/2000	McCasky Feazel et al.	435	6	1/9/1998
	A3	2003/0126635	7/3/2003	Penner et al.	800	278	8/8/2002
	A4						

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 99/32661	7/1/99	WIPO	C12Q	1/68	
	B2						
	B3						
	B4						

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	
	C2	
	C3	
	C4	
	C5	

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)